

# STOCKTON UNIVERSITY

## Independent Contractor Determination Checklist

In New Jersey, an independent contractor is an individual or firm who is contracted to work utilizing their own methods, and the means by which the work is accomplished is not controlled by the employer. An independent contractor is normally engaged in an established business, trade or profession. As such, an independent contractor is not an employee of the University and is treated differently with respect to tax withholdings, employee benefits, and payment methods.

It is permissible for an individual to be hired as an independent contractor only if all three of the following requirements are met:

- Minimal Direction: the worker is free from the employer's control or direction in the performance of this work;
- Established Business or Trade: the contractor. If there are any "no" answers, please provide explanation in the space provided.

3 O H D V H

E H D Z D U H m W k a S W c a t i o n o f a n i n d e p e n d e n t c o n t r a c t o r m a y r e s u l t i n t a x e s , i n t e r e s t , a n d p e n a l t i e s b e i n g a s s e s s e d b y t h e I R S . I f t h i s h a p p e n s , t h e D e p a r t m e n t w i l l b e b i l l e d f o r t h e p r o p o r t i o n a l s h a r e o f t h e s e a s s e s s m e n t s .

1 R W H 7 K L V F K H F N O L V W P X V W E H R Q F R P S O H W F H C O B Q G D V X E H P L W S H G F R Q W U D F W R U W K H V H U Y L F H V E H L Q J S U R Y L G H G L O O Q E H G H W X R Q H C O V X E P L V V L R Q Z

\_\_\_\_\_ Z# (If assigned) \_\_\_\_\_

All Providers	Yes	No	
1. U.S. Citizen or Permanent Resident?			Requires Foreign Visitor Information Sheet
2. Was W K H L Q e m p l o y e e b y D O		Stop and pay as an employee	Continue to question 3
3. Will the individual be performing services in		Stop and pay as an employee	Continue to question 4

4. Is this D J U D W X L W R X V S D \ P H Q W I R U D V S H H E K R U 6 W R S D Q G F

Behavioral Control Factors:	Yes	No
1. Does the individual make decisions as to wj ET q Q B932 Tw (43Tj 0.001 Tc -j ET q Q re,24 Tw 101s t)Tj n01 Tc -j ET qd how021		

Financial Factors:		
8. Is the individual performing their services as a separate company with a Federal Tax ID?		
9. Does the individual receive payments on the basis of set deliverables?		
10. Does the individual furnish their own space, tools, and materials?		
11. Is the individual able to make a profit or potentially suffer a loss for this work?		
12. Will individual pay for own business and travel expense?		
13. Will the individual submit an invoice for commission or project?		
Relationship Factors:		
14. Does the individual provide similar services to other non-Stockton clients or advertise		
15. Would the department expect to hold payment or receive money back if goods or		

%ULHI GHVFULSWLRQ RI VHUYLFHV SURYLGHG

Department : \_\_\_\_\_ Representative Name: \_\_\_\_\_

Representative Signatu re: \_\_\_\_\_ Date: \_\_\_\_\_